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PATENTMesh-045
P2095/0006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
John M. BELCEA : Group Art Unit: 2661
Serial No.: 10/087,016 : Examiner: Van Kim NGUYEN
Filed: March 15, 2002 :
Patent Number: 6,904,021 :
Issue Date: June 7, 2005 :
FOR: System and Method for Providing Adaptive :
Control of Transmit Power and Data Rate in an :
Ad-Hoc Communication Network :

SUBSTITUTE DECLARATION FOR UTILITY PATENT APPLICATION
COMBINED WITH POWER OF ATTORNEY


Mail Stop: Post Issue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith a Substitute Declaration for Utility Patent Application Combined with Power of Attorney in the subject application. Entry and approval are respectfully requested.

Applicant believes that no fee is due. However, if this is not the case, Applicant gives authorization to charge any fees owed in connection with this communication, or to credit any overpayment, to Deposit Account No. 07-0181 (a duplicate of this Substitute Declaration is enclosed for that purpose).

Respectfully submitted,


Joseph U. Buczynski
Attorney for Applicant
Reg. No. 35,084

Gardner Carton & Douglas LLP
191 N. Wacker Drive, Suite 3700
Chicago, IL 60606-1698
Telephone: (202) 230-5114
Dated: June 29, 2006

Patent No. 6,904,021

Application No. 10/087,016

Substitute Declaration for Utility or Design Patent

Application Combined With Power of Attorney

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Substitute Declaration for Utility Patent Application Combined with Power of Attorney is being transmitted by facsimile to the United States Patent and Trademark Office, Attention Mail Stop Post Issue, Facsimile Number 571-273-8300, on the date indicated.

Lois Ann Borlase
Printed Name


Signature

Date: June 29, 2006

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<p align="center">SUBSTITUTE DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) COMBINED WITH POWER OF ATTORNEY</p> <p><input type="checkbox"/> Declaration Submitted With Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)</p>		Attorney Docket Number	Mesh045
		First Named Inventor	John M. Belcea
		Application Number	10/087,016
		Filing Date	03/15/2002
		Group Art Unit	2661
		Examiner Name	Van Kim T. NGUYEN
		Patent Number	6,904,021
		Issue Date	06/07/2005

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR PROVIDING ADAPTIVE CONTROL OF TRANSMIT POWER AND DATA RATE IN AN AD-HOC COMMUNICATION NETWORK

the specification of which:

☐ is attached hereto

OR

☒ was filed on: (MM/DD/YYYY) 03/15/2002 as United States Application Number or PCT International Application Number 10/087,016 and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR 1.56, including continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.				

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Provisional Application Serial No.:	
Provisional Application Filing Date:	

I hereby claim the priority benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which is material to the patentability of this application and which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s):

- ☒ no such application(s) filed
☐ such application(s) identified as follows:

Application No.	Filing Date (MM/DD/YYYYr)	Status (Patented, Pending, Abandoned)

I hereby declare that: as to any claimed subject matter of this application which is common to my earlier United States or foreign application(s), if any, which I have identified above and claimed the benefit of priority thereof, I do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the first of said earlier application(s), or in public use or on sale in the United States more than one year prior to the first of said earlier application(s), and that the said common subject matter has not been patented or made the subject of an inventor's certificate before the date of the first of said earlier U.S. application(s) in any country foreign to the United States on an application, filed by me or my legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the first of said earlier U.S. application(s), if any; and that, as to any claimed subject matter of this application which is not common to said earlier application(s), if any, I do not know and do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the date of this application.

I hereby appoint the attorney(s) or agent(s) associated with: 24273 to prosecute this application and transact all business in the patent and trademark office connected therewith.


Address all correspondence to: Customer Number 24273

Attorney/Agent Name: Randi L. Karpinia
Telephone: 954-723-6449
Facsimile: 954-723-3871

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<input type="checkbox"/> A petition has been filed for this unsigned inventor.			
Full Name of Sole or First Inventor: <u>John M. Belcea</u>			
<u></u>		<u>4/11/2006</u>	
Inventor's Signature		Date	
Residence:	<u>West Melbourne</u>	<u>FL</u>	<u>32904</u>
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Mailing Address			
	<u>West Melbourne</u>	<u>FL</u>	<u>32904</u>
	City	State	Postal Code
			<u>US</u>
			Country

PATENT

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